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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

WANDA SEVERSON,)	Case No. 3:12-cv-00025-SLG
)	
Plaintiff,)	
)	STIPULATION REGARDING
vs.)	PROPOSED ORDER FOR
)	PARTIAL SUMMARY JUDGMENT
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Pursuant to the Court's Order [Docket 25], the parties, via undersigned counsel, submit the following stipulation setting out the terms and agreed upon scope for the Court's ruling granting Plaintiff's Motion for Partial Summary Judgment [Docket 20]:

1. The Defendant had a duty to provide non-negligent medical care to Plaintiff, under AS 09.55.540, with regard to the medical care provided by Dr. Brian Trimble on July 23, 2008, in administering a Tensilon test to Plaintiff.

2. On July 23, 2008, Defendant breached its duty to provide non-negligent medical care to Plaintiff, under AS 09.55.540, by incorrectly administering a total of 8 mg. of the medication, Neostigmine, to Plaintiff during a Tensilon test.

3. As a result of Defendant's breach, Plaintiff suffered injury.

4. The remaining disputed issues for litigation and trial in this matter include the nature and extent of the injuries allegedly caused to Plaintiff by Defendant's breach and the nature and amount of damages allegedly caused by Defendant's breach.

5. Plaintiff agrees to dismiss with prejudice the Second and Third Claims for Relief in Plaintiff's Amended Complaint for Damages. [Docket 10]

6. A proposed Order Granting Partial Summary Judgment to Plaintiff is attached for the Court's consideration.

RESPECTFULLY SUBMITTED, on October 23, 2012, at Anchorage, Alaska.

KAREN L. LOEFFLER
United States Attorney

s/Gary M. Guarino
Assistant U.S. Attorney
Attorney for Defendant

LAW OFFICE OF CHRISTINE SCHLEUSS

S/Christine Schleuss (consent)
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2012,
a copy of the foregoing Stipulation
was served electronically on:

Christine Schleuss

s/Gary M. Guarino